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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Garcon	12 July 2002
Serial No.:	09/807,657	Group Art Unit No.: 1648
Filed:	16 April 2001	Examiner: Z. Lucas
For:	ADJUVANT SYSTMS AND VACCINES	

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

This paper is in response to the Office Action dated 18 June 2002, setting forth a thirty (30) day shortened statutory period for reply. This response is being filed within said period, and no fees are believed due. However, authorization is hereby given to deduct any fees required by this paper to Deposit Account No. 19-2570, should any fees be due.

Claims 32-115 are pending in the application. Claims 32-115 are subject to restriction requirement. Applicants desire to reply as follows:

Restriction to one of the following is required under 35 U.S.C. § 121 and 372:

Group I, claims 32-115, drawn to adjuvant and vaccine compositions for the treatment of pathogenic infections, a method of producing a vaccine, and methods of using the vaccines to treat an animal susceptible to a pathogenic infection.

Group II, claims 32-81 and 104-115, drawn to vaccines and methods of using the vaccines to treat animals susceptible to cancer.

Group III, claims 32-81 and 104-115, drawn to vaccines and methods of using the vaccines to treat animals susceptible to allergies.


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Further the applicant is required to elect one of the following inventions:

- (A) the adjuvant or vaccine composition wherein the immunostimulant is a lipid;
- (B) the adjuvant or vaccine composition wherein the immunostimulant is an oligonucleotide containing a CpG; or
- (C) the adjuvant or vaccine composition wherein the immunostimulant is a saponin.

Applicants traverse the restriction. While the groups identified may be distinct, they are not independent because search terms for one group will necessarily be shared with other groups. Therefore, doing searches on these groups combined would not be a significant burden on the Examiner. Nevertheless, in the interest of advancing the prosecution of this case, Applicants wish to make a provisional election of Group I - (A), claims 32-115. Applicants retain the right to file divisional applications on the non-elected subject matter.

Respectfully submitted,



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